

SIXTY-FIFTH DAY

(Thursday, May 9, 1957)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent—Excused

Hazlewood	Martin
-----------	--------

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Martin was granted leave of absence for today on account of illness on motion of Senator Aikin.

Senate Resolution 522

Senator Moffett offered the following resolution:

Whereas, We are honored today to have in the gallery the Senior Class of the Newcastle High School, accompanied by Mr. Donald Stringer, their teacher, and four sponsors of the class; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe first-hand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moffett by unanimous consent presented the students, teacher and sponsors to the Members of the Senate.

Reports of Standing Committees

Senator Owen submitted the following reports:

Austin, Texas,
May 8, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 582, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 935, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 936, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

House Bill 70 on Third Reading

On motion of Senator Reagan and by unanimous consent, the regular order of business was suspended and the President laid before the Senate on its third reading and final passage the following bill:

H. B. No. 70, A bill to be entitled "An Act to provide for the rehabilitation, clearance, and redevelopment of slums and blighted areas in cities in this state; and providing a referendum in certain instances; to define the duties, liabilities, exemptions and powers of such cities in undertaking such activities, including the power to acquire and dispose of property, to exercise the power of eminent domain, to issue bonds and other obligations and give security therefor, etc., and declaring an emergency."

The bill was read the third time and was passed.

Record of Votes

Senators Ashley, Bracewell, Weinert, Lane and Hardeman asked to be recorded as voting "nay" on the final passage of H. B. No. 70.

Senate Resolution 523

Senator Roberts offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of Community High School, Nevada, Texas, accompanied by their teacher and sponsors, Mr. and Mrs. H. L. Hensley and Mr. and Mrs. M. L. Martin; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Roberts by unanimous consent presented the students, teacher and sponsor to the Members of the Senate.

Senate Resolution 525

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the 7th and 8th grades of Talpa High School of Talpa, Coleman County, Texas, accompanied by their teachers and sponsors, Mrs. Noel Hale and Mrs. Phil Burroughs; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Hardeman by unanimous consent presented the students, teachers and sponsors to the Members of the Senate.

Report of Standing Committee

Senator Phillips by unanimous consent submitted the following report:

Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 37, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PHILLIPS, Chairman.

House Bill 68 on Second Reading

On motion of Senator Bracewell and by unanimous consent, the reg-

ular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 68, A bill to be entitled "An Act to amend Chapter 125, Acts of the 45th Legislature, 1937, as amended, (codified as Article 4243e, Vernon's Ann. Civ. St.), by adding thereto a new section numbered Section 3A, providing for the selection of Boards of Firemen's Relief and Retirement Fund Trustees in cities having a population of five hundred thousand (500,000) or more, and prescribing terms of office and an oath of office and officers for such Boards, and directing that copies of minutes of such Boards' meetings be distributed; and by amending Section 6 thereof, as last amended by Section 1 of Chapter 82, Acts of 53rd Legislature, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 68 on Third Reading

Senator Bracewell moved that the Constitution Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 68 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Gonzalez

Absent—Excused

Hazlewood Martin

The President then laid the bill be-

fore the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Gonzalez

Absent—Excused

Hazlewood Martin

House Bill 253 on Second Reading

On motion of Senator Smith and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 253, A bill to be entitled "An Act amending Article 2875, Revised Civil Statutes, of 1925, as amended so as to permit common school districts with a scholastic population of 300 or more to requisition textbooks in the same manner as city and town superintendents; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 253 on Third Reading

Senator Smith moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 253 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Ashley	Bracewell
--------	-----------

Fuller	Phillips
Hardeman	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Moffett	Willis
Moore	Wood
Parkhouse	

Nays—3

Aikin	Ratliff
Colson	

Absent

Bradshaw	Lock
Fly	Owen
Gonzalez	

Absent—Excused

Hazlewood	Martin
-----------	--------

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Ashley	Parkhouse
Bracewell	Phillips
Fly	Ratliff
Fuller	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Moffett	Wood
Moore	

Nays—3

Aikin	Colson
Bradshaw	

Absent

Gonzalez	Owen
Lock	

Absent—Excused

Hazlewood	Martin
-----------	--------

House Bill 876 on Second Reading

On motion of Senator Kazen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time

on its second reading and passage to third reading:

H. B. No. 876, A bill to be entitled "An Act to amend Chapter 58, Acts of the 52nd Legislature, Regular Session, 1951 (codified as Article 326K-15, Vernon's Texas Civil Statutes), to provide an additional compensation to the District Attorney of the 79th Judicial District; etc.; and declaring an emergency."

The bill was read second time.

Senator Kazen offered the following committee amendment to the bill:

Amend H. B. No. 876 by striking out in Section 2 the words and figure "two (2) years," and substituting in lieu thereof the following: "December 31, 1958."

The committee amendment was adopted.

On motion of Senator Kazen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 876 on Third Reading

Senator Kazen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 876 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Lane
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Weinert
Krueger	Willis

Nays—2

Moore	Wood
-------	------

Absent

Gonzalez	Smith
Lock	

Absent—Excused

Hazlewood Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Nays—2

Moore Wood

Absent

Hardeman

Absent—Excused

Hazlewood Martin

Senate Resolution 526

Senator Willis offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mrs. H. V. Shank of Fort Worth, Texas; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That her presence be recognized by the Senate of Texas and that she be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Willis by unanimous consent presented Mrs. Shank to the Members of the Senate.

House Bill 153 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the reg-

ular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 153, A bill to be entitled "An Act amending Section 19 of Chapter 25, Acts of the 39th Legislature, Regular Session, 1925, as amended by Section 4 of Chapter 107, Acts of the 40th Legislature, 1st Called Session, 1927 (codified as Article 7880-19) so as to prescribe the procedure for granting or refusing a petition for the organization of a water control and improvement district; etc.; and declaring an emergency."

The bill was read second time.

(Senator Aikin in the Chair.)

Senator Owen offered the following amendment to the bill:

Amend H. B. No. 153 by deleting the word "and" on line 2 of page 2 of the printed bill, to read "or" substitute in lieu therefor the word "or."

The amendment was adopted.

Senator Herring offered the following amendment to the bill:

Amend H. B. 153 by striking out the last sentence in Section one (1), second paragraph, beginning with the word "Provided" and ending with the word "exercised."

The amendment was adopted.

(President in the Chair.)

Senator Smith offered the following amendment to the bill:

Amend H. B. 153 by deleting all of paragraph 3, pages 1 and 2 after the period (.) in the first sentence.

The amendment was adopted.

Senator Owen offered the following amendment to the bill:

Amend H. B. No. 153 by adding a new paragraph after the end of the paragraph on line 55 and page one of the printed bill to read as follows:

"The Board of Water Engineers shall not exercise jurisdiction over the creation of any district in a county now under the jurisdiction of the Commissioners Court."

The amendment was adopted.

Senator Owen offered the following amendment to the bill:

Amend H. B. No. 153 by adding a new section to be numbered Sec. 3 and renumber the succeeding sections to read as follows:

"Sec. 3. Nothing in this Act shall repeal or enlarge the jurisdiction of the Board of Water Engineers in the approval or disapproval of the creation of districts as now provided by law upon the passage of this Act."

The amendment was adopted.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 153 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that House Bill No. 153 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Ashley	Owen
Bracewell	Parkhouse
Bradshaw	Phillips
Colson	Ratliff
Fly	Reagan
Fuller	Roberts
Hardeman	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood
Moffett	

Nays—3

Aikin	Moore
Herring	

Absent

Gonzalez

Absent—Excused

Hazlewood	Martin
-----------	--------

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Resolution 527

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate thirty-six pupils of the Current Events Class of the Brown Schools, San Marcos, Hays County, Texas, accompanied by their teachers, Mrs. Lillie F. Banks and Mrs. Margaret Janetsky; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students and teachers to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 921 by a vote of 138 ayes, 1 no.

The House refused to concur in Senate amendments to House Bill No. 169 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. The House has appointed the following Conference Committee on H. B. No. 169: Baker, Osborn, Smith of Hays, Ellis and Dewey.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 528

Senator Colson offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of the Glover High School of Houston County, Texas, accompanied by their sponsors, Superintendents and Mrs. Ervin Vickers; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Colson by unanimous consent presented the students, sponsor and superintendent to the Members of the Senate.

Senate Resolution 529

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Junior and Senior Classes of Talpa High School, Talpa, Coleman County, Texas, accompanied by their teachers, Mrs. W. L. Smith and Mrs. Lee Parker; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Hardeman by unanimous consent presented the students and teachers to the Members of the Senate.

Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No 930, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

OWEN, Chairman.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S. B. No. 264, A bill to be entitled "An Act concerning liens on oil and mineral property, amending the following Articles: Article 5473, Revised Civil Statutes of Texas, 1925; Article 5476, Revised Civil Statutes of Texas, 1925, as amended, Article 5476a, Revised Civil Statutes of Texas, 1925, added by Acts of the Fifty-third Legislature, Regular Session, 1953, Chapter 89, Section 2, Article 5476b, Revised Civil Statutes of Texas, 1925, added by the Acts of the Fifty-third Legislature, Regular Session, 1953; and adding two new Articles concerning sub-contractor's liens on oil and mineral property and concerning the impairment and forfeiture of oil and mineral property liens; and declaring an emergency."

S. B. No. 240, A bill to be entitled "An Act to create the Texas Stonewall Jackson Memorial Board; to provide the duties and powers thereof; to memorialize Stonewall Jackson; and related purposes."

S. B. No. 147, A bill to be entitled "An Act to amend Section I of House Bill 119 enacted by the first called

session of the Fifty-third Legislature (being an act authorizing cities having more than 250,000 population to issue Airport Revenue Bonds for purposes under conditions, and having specifications as provided therein); to revise the minimum population limit for the issuance of such Airport Revenue Bonds; and declaring an emergency."

S. B. No. 145, A bill to be entitled "An Act regulating the marketing of brake fluids in the State of Texas; granting certain powers to the Public Safety Director in connection therewith; providing penalties for the violation of this Act; providing for the confiscation of brake fluids held or sold in violation of the Act; and declaring an emergency."

S. B. No. 19, A bill to be entitled "An Act amending Chapter 229, Acts 1947, 50th Legislature, as amended, relating to Workmen's Compensation Insurance for certain employees of the institutions and agencies under the direction or government of the Board of Directors of the Agricultural and Mechanical College of Texas, etc."

S. B. No. 441, A bill to be entitled "An Act amending Section 1, Acts 1953, 53rd Legislature, Page 464, Chapter 150 (appearing as Article 2786d, Vernon's Annotated Civil Statutes), so as to authorize school districts to place the proceeds from sale of school district bonds on interest bearing secured time deposits with a state or national banking corporation within this State, as well as to invest such proceeds in bonds or other obligations of the United States of America, until needed for purposes for which school district bonds were originally authorized; repealing conflicting laws; providing partial invalidity shall not affect remainder of the Act; and declaring an emergency."

S. B. No. 393, A bill to be entitled "An Act to amend Article 2326a, Revised Civil Statutes of Texas, 1925, (codified also as Article 2326a, Vernon's Texas Civil Statutes), as amended by Chapter 56, Acts of the 41st Legislature, Regular Session, 1929, and by Chapter 3, Acts of the 46th Legislature, Special Laws, Regular Session, 1939, relating to expenses and manner of payment of expenses

of shorthand reporters and their deputies in District Courts in Judicial Districts composed of more than one county, is hereby amended to provide an increase in allowance covering certain of such expenses; providing a severability clause; and declaring an emergency."

S. B. No. 442, A bill to be entitled "An Act to create the Elm Creek Watershed Authority as a conservation and reclamation district in Bell, Milam, Falls and McLennan Counties under the provisions of Article XVI, Section 59 of the Constitution of Texas; prescribing the duties, powers, functions and procedures for the district, including the right to participate in the organization of subordinate districts to carry out the functions of the master district under certain circumstances and conditions; providing for the incurring of obligations and the methods for the selection of manner for paying such obligations of the master and subordinate districts; providing for a governing body and prescribing their duties; adopting certain provisions of the general law; enacting other provisions required for the functioning of the master and subordinate districts; providing a severance clause; and declaring an emergency."

S. B. No. 85, A bill to be entitled "An Act amending House Bill 302, Chapter 337, Acts of the 53rd Legislature, Regular Session, 1953, by adding a new Section to be known as Section 2a; providing for the adding or attachment of territory of any military reservation independent school district abolished by the State Board of Education to a school district contiguous to the territory; etc, and declaring an emergency."

S. B. No. 398, A bill to be entitled "An Act providing that all property transferred by the State of Texas to the City of Corpus Christi by the provisions of Chapter 253, Acts of the 49th Legislature, Regular Session, 1945, may be leased by the governing body of the City of Corpus Christi for such time and under such terms and conditions and for such purposes as determined by the governing body of the City of Corpus Christi to be to the best interest of the City and declaring an emergency."

S. B. No. 389, A bill to be entitled

"An Act amending Article IV, Chapter 173, Acts of the 47th Legislature, Regular Session, 1941 (codified as Article 6687b of Vernon's Texas Civil Statutes), to add a new section providing for the issuance of an occupational license; providing for the payment of a fee for such license; providing for a court order relating to such occupational license; providing a penalty; and declaring an emergency."

S. B. No. 294, A bill to be entitled "An Act repealing the Securities Act of Texas and the Insurance Securities Act of Texas as embraced in Articles 579 and 580 of Vernon's Civil Statutes of Texas, with savings clause as to pending proceedings or actions; and substituting for both such acts a single act comprehensively providing for the regulation of the sale of securities and of dealers, agents and salesmen who sell securities, this new act to be known as "The Securities Act"; creating the State Securities Board and providing for appointment of Securities Commissioner; providing for a Deputy Securities Commissioner and delegation of authorities of commissioner to him; providing for the administration and enforcement of the act by the Securities Commissioner and the Attorney General and local law enforcement officials; defining words and phrases: listing exempt transactions and exempt securities; etc., and declaring an emergency."

S. B. No. 415, A bill to be entitled "An Act amending Article 7122 of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the 43rd Legislature, Regular Session, Chapter 192, and by Acts of the 54th Legislature, Regular Session, 1955, Chapter 389, by adding thereto a new provision (to be designated as Article 7122-a) to more clearly define the application of said Article 7122, Revised Civil Statutes of Texas, 1925, as amended, as regards the decedents in respect to which the same shall apply, and repealing conflicting laws and parts of laws; and declaring an emergency."

S. B. No. 361, A bill to be entitled "An Act amending Section 1 of Acts of the 47th Legislature, 1941, Chapter 129, page 177, codified as Section 1 of Article 7930-4, Vernon's Civil Statutes of Texas, so as to make said Act

and the additional powers therein granted, applicable to all Fresh Water Supply Districts heretofore or hereafter created under the provisions of Chapter 4 of Title 128, Revised Civil Statutes of Texas, 1925, as amended; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 376, A bill to be entitled "An Act to amend Article 8120 of the Revised Civil Statutes of Texas, 1925, as last amended, to authorize the Commissioners' Courts in certain counties to pay Commissioners of Drainage Districts in such counties additional compensation and reimbursements; providing a severability clause; and declaring an emergency."

S. B. No. 245, A bill to be entitled "An Act authorizing any incorporated city or town to issue bonds to refund outstanding bonds payable from and secured by a pledge of revenues derived from its electric light and power system, gas system, sewer system, or any combination of two or more of such systems, and containing provisions relating to said refunding bonds; providing that the provisions of this Act shall be cumulative of other laws; providing a severability clause; and declaring an emergency."

S. B. No. 237, A bill to be entitled "An Act to amend Article 3930 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1945, 49th Legislature, Regular Session, Chapter 368, Page 662, Section 4, relating to fees which the clerks of the County Courts shall receive for their services; containing a repealing clause and a savings clause; and declaring an emergency."

S. C. R. No. 19, Granting Texas Power and Light Company permission to sue the State of Texas.

S. C. R. No. 45, Granting Marguerite Horton Boscamp permission to sue the State of Texas.

S. C. R. No. 84, Relating to 75th Anniversary Celebration of Wichita County.

S. C. R. No. 85, Authorizing the Governor to return Senate Bill No. 293 to the Senate, etc.

H. B. No. 914, A bill to be entitled "An Act amending Chapter 243, Acts

of the 53rd Legislature, Regular Session, 1953, so as to eliminate the present requirement that charges and rates for water furnished cities and towns of the District shall be uniform regardless of the distance from the source, etc., and declaring an emergency."

(Senator Hardeman in the Chair.)

**Conference Committee Report on
Senate Joint Resolution 3**

Senator Fuller submitted the following Conference Committee Report on S. J. R. No. 3:

Austin, Texas,
May 6, 1957.

Hon. Ben Ramsey, President of the Senate.

Hon. Waggoner Carr, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. J. R. No. 3, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

HAZLEWOOD
FULLER
MOFFETT
REAGAN
BRACEWELL

On the part of the Senate.

WILSON of Potter
STEWART
HARRINGTON
SPRINGER
OLIVER

On the part of the House.

S. J. R. No. 3:

A JOINT RESOLUTION

"Proposing an amendment to Article IX of the Constitution of the State of Texas, by adding thereto a new section to be known as Section 5, to provide that the Legislature may authorize the creation of a Hospital District coextensive with the incorporated limits of the City of Amarillo, Texas, authorizing the County of Potter to render financial aid to and participate in the operation of such Hospital District, authorizing the Commissioners' Court of said county to assess and levy taxes on property out-

side the incorporated limits of such city; further authorizing a county-wide Hospital District for Wichita County, Texas, and authorizing the creation of two districts in Jefferson County; and further providing that any enabling Acts shall not be invalid because of their anticipatory character."

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article IX of the Constitution of the State of Texas, be, and the same is hereby amended by adding thereto another section to be designated as Section 5, which shall read as follows:

"Section 5. (a) The Legislature may by law authorize the creation of two hospital districts, one to be co-extensive with and have the same boundaries as the incorporated City of Amarillo, as such boundaries now exist or as they may hereafter be lawfully extended, and the other to be coextensive with Wichita County.

"If such district or districts are created, they may be authorized to levy a tax not to exceed 75c on the one hundred dollars' valuation of taxable property within the district, provided, however, no tax may be levied until approved by a majority vote of the participating resident qualified property taxpaying voters who have duly rendered their property for taxation. The maximum rate of tax may be changed at subsequent elections so long as obligations are not impaired, and not to exceed the maximum limit of 75c per one hundred dollars' valuation, and no election shall be required by subsequent changes in the boundaries of the City of Amarillo.

"If such tax is authorized, no political subdivision or municipality within or having the same boundaries as the district may levy a tax for medical or hospital care for needy individuals, nor shall they maintain or erect hospital facilities, but the district shall by resolution assume all such responsibilities and shall assume all of the liabilities and obligations (including bonds and warrants) of such subdivisions or municipalities or both. The maximum tax rate submitted shall be sufficient to discharge such obligations, liabilities, and responsibilities, and to maintain and operate the hospital system, and the

Legislature may authorize the district to issue tax bonds for the purpose of the purchase, construction, acquisition, repair or renovation of improvements and initially equipping the same, and such bonds shall be payable from said 75c tax. The Legislature shall provide for transfer of title to properties to the district.

"(b) The Legislature may, by law, permit the County of Potter (in which the City of Amarillo is partially located) to render financial aid to that district by paying a part of the expenses of operating and maintaining the system and paying a part of the debts of the district (whether assumed or created by the district) and may authorize the levy of a tax not to exceed 10c per one hundred dollars valuation (in addition to other taxes permitted by this Constitution) upon all property within the county but without the City of Amarillo at the time such levy is made for such purposes. If such tax is authorized, the district shall by resolution assume the responsibilities, obligations, and liabilities of the county in the manner and to the extent hereinabove provided for political subdivisions having boundaries coextensive with the district, and the county shall not thereafter levy taxes (other than herein provided) for hospital purposes nor for providing hospital care for needy individuals of the county.

"(c) The Legislature may by law authorize the creation of a hospital district within Jefferson County, the boundaries of which shall include only the area comprising the Jefferson County Drainage District No. 7 and the Port Arthur Independent School District, as such boundaries existed on the first day of January, 1957, with the power to issue bonds for the sole purpose of purchasing a site for, and the construction and initial equipping of, a hospital system, and with the power to levy a tax of not to exceed 75c on the one hundred dollars' valuation of property therein for the purpose of paying the principal and interest on such bonds.

"The creation of such hospital district shall not be final until approved at an election by a majority of the resident property taxpaying voters voting at said election who have duly rendered their property for taxation upon the tax rolls of either said Drainage or said School District, nor

shall such bonds be issued or such tax be levied until so approved by such voters.

"The district shall not have the power to levy any tax for maintenance or operation of the hospital or facilities, but shall contract with other political subdivisions of the State or private individuals, associations, or corporations for such purposes.

"If the district hereinabove authorized is finally created, no other hospital district may be created embracing any part of the territory within its boundaries, but the Legislature by law may authorize the creation of a hospital district incorporating therein the remainder of Jefferson County, having the powers and duties and with the limitations presently provided by Article IX, Section 4, of the Constitution of Texas, except that such district shall be confirmed at an election wherein the resident qualified property taxpaying voters who have duly rendered their property within such proposed district for taxation on the county rolls, shall be authorized to vote. A majority of those participating in the election voting in favor of the District shall be necessary for its confirmation and for bonds to be issued.

"(d) Should the Legislature enact enabling laws in anticipation of the adoption of this amendment, such Acts shall not be invalid because of their anticipatory character."

Section 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at the General Election to be held the first Tuesday after the first Monday in November, 1958, at which election all ballots shall have printed thereon:

"FOR the Constitutional Amendment authorizing the Legislature to create a Hospital District coextensive with the incorporated limits of the City of Amarillo, Texas, and authorizing Potter County to lend financial aid to and participate in the operation of said Hospital District, and further authorizing the Legislature to create a county-wide Hospital District in Wichita County, Texas, and Hospital Districts in Jefferson County, Texas."

"A G A I N S T the Constitutional Amendment authorizing the Legislature to create a Hospital District coextensive with the incorporated limits

of the City of Amarillo, Texas, and authorizing Potter County to lend financial aid to and participate in the operation of said Hospital District, and further authorizing the Legislature to create a county-wide Hospital District in Wichita County, Texas, and Hospital Districts in Jefferson County, Texas."

Section 3. The Governor shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State.

The report was read and was adopted by the following vote:

Yeas—28

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Smith

Absent—Excused

Hazlewood Martin

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 895 by vote of 96 ayes, 32 noes and 1 present not voting.

The House has concurred in Senate amendments to House Bill No. 876 by vote of 126 ayes, 1 no.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 530

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate Harmony Elementary School, Section 2, Grade 6, San Antonio, Bexar County, accompanied by their teachers and sponsors, Mrs. Eleanor Crain, Mrs. Bruce McCloskey, Mrs. Frank Harris; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented the students, teacher and sponsors to the Members of the Senate.

Report of Standing Committee

Senator Kazen by unanimous consent submitted the following report:

Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 890, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

(President in the Chair.)

House Bill 930 Ordered Not Printed

On motion of Senator Moffett and by unanimous consent H. B. No. 930 was ordered not printed.

Senate Resolution 531

Senator Hudson offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of the Santa Rosa High School of Cameron County, accompanied by their teachers and sponsors, Mr. and Mrs. James Murphy and Mrs. Alice Fleming; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Hudson by unanimous consent presented the students and teacher and sponsors to the Members of the Senate.

Senate Resolution 532

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the 7th Grade Class of the Brenham Elementary School, accompanied by their teacher and sponsor, Mr. C. E. Linnstaedter; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and Mr. Linnstaeder to the Members of the Senate.

House Bill 265 on Second Reading

Senator Secrest asked unanimous consent to suspend the regular order of business and take up H. B. No. 265 for consideration at this time.

There was objection.

Senator Secrest then moved to suspend the regular order of business and take up H. B. No. 265 for consideration at this time.

The motion prevailed by the following vote:

Yeas—18

Ashley	Ratliff
Fly	Reagan
Hardeman	Roberts
Hudson	Rogers
Lane	Secrest
Lock	Smith
Moffett	Weinert
Owen	Willis
Parkhouse	Wood

Nays—8

Aikin	Herring
Bradshaw	Kazen
Colson	Krueger
Fuller	Phillips

Absent

Gonzalez	Moore
----------	-------

Absent—Excused

Martin

Paired

Senator Bracewell (present), who would vote Yea, with Senator Hazlewood (absent), who would vote Nay.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 265, A bill to be entitled "An Act amending Section 1, Chapter 196, Acts of the Forty-third Legislature, Regular Session, 1933, as amended by Chapter 218, Acts of the Fiftieth Legislature, Regular Session, 1947, respecting the rates of tuition or registration fees to be charged by the institutions of higher education supported in whole or in part by the public funds appropriated from the State Treasury; providing for the establishment of Tuition Scholarships and the rules and regulations of ad-

ministering same; providing that the increase contained herein less tuition scholarships be used for increasing teachers' salaries and for additional teachers; and defining the resident and non-resident student classifications for the purposes of this Act; providing for certain penalties; establishing the rates of tuition or registration fees to be charged in the Medical and Dental Schools of The University of Texas; repealing all laws in conflict herewith; providing nothing herein shall repeal Article 2654b, Acts of the Forty-first Legislature, 1929, Second Called Session, Page 90, Chapter 52, Section 1; and Article 2654b-1, Acts of the Forty-third Legislature, 1933, First Called Session, Page 10, Chapter 6, Acts of the Forty-eighth Legislature, 1943, Page 568, Chapter 337, Section 1, and Acts of the Forty-ninth Legislature, 1945, Page 552, Chapter 338, Section 1, and Acts of the Fifty-third Legislature, 1953, Page 75, Chapter 55, Section 1; containing a severability clause; providing an effective date for the enforcement hereof; and declaring an emergency."

The bill was read second time.

(Senator Hardeman in the Chair.)

Senator Secrest offered the following committee amendment to the bill:

Amend H. B. 265 by adding at the end of subsection 3 of Section I the following:

"and provided further, that the provisions of this paragraph relating to nonresident student registration fees shall not apply to junior colleges located immediately adjacent to State boundary lines, which institutions shall collect from each nonresident student who registers for twelve (12) or more semester or term hours of work an amount equivalent to the amount charged students from Texas by similar schools in the State of which the said nonresident student shall be a resident."

The committee amendment was adopted.

Record of Vote

Senator Willis asked to be recorded as voting "nay" on the adoption of the above amendment.

Senator Secrest offered the following committee amendment to the bill:

Amend H. B. 265 by adding at the end of subsection (f) the following:

Provided, however, that a resident alien residing in a Junior College district located immediately adjacent to State boundary lines shall be charged the resident tuition by such Junior College.

The committee amendment was adopted.

Record of Vote

Senator Willis asked to be recorded as voting "nay" on the adoption of the above amendment.

Senator Secrest offered the following amendment to the bill:

Amend House Bill No. 265 by:

(1) Deleting Section 1, (k).

(2) Adding the following as Section 2:

It is the intent of the Legislature by increasing the tuition fees at the State-supported institutions of higher education to provide additional funds for both increased teaching salaries and new teaching positions at these institutions, while at the same time providing tuition scholarships to protect any student who would incur financial hardship in paying the increased fees; and such intent shall be a primary consideration of the Texas Commission on Higher Education in making recommendations to the Legislature, and of the Legislature in appropriating such funds to the respective institutions.

(3) Renumbering Sections 2, 3, 4, 5, and 6 as Sections 3, 4, 5, 6, and 7.

The amendment was adopted.

(President in the Chair.)

Senator Phillips offered the following amendment to the bill:

Amend H. B. 265 by striking out the enacting clause.

The amendment was read.

Question on the adoption of the amendment yeas and nays were demanded.

The amendment failed of adoption by the following vote:

Yeas—11

Aikin
Colson

Fuller
Gonzalez

Herring
Kazen
Krueger
Moore

Phillips
Smith
Willis

Nays—14

Fly
Hardeman
Hudson
Lane
Lock
Moffett
Owen

Parkhouse
Ratliff
Reagan
Roberts
Secrest
Weinert
Wood

Absent

Ashley
Bradshaw

Rogers

Absent—Excused

Martin

Paired

Senator Bracewell (present), who would vote Yea, with Senator Hazlewood (absent), who would vote Nay.

Senator Owen offered the following amendment to the bill:

Amend H. B. 265 by adding a paragraph at the end of the last item on line 44, page 2, of the printed bill to read as follows:

"The rate applied to residents shall apply to non-residents who actually reside within a radius of one hundred and fifty (150) miles from the college in which they shall enroll; provided, however, the determination of eligibility shall be determined as herein prescribed."

The amendment was read.

Senator Secrest moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—15

Bradshaw
Colson
Fly
Hardeman
Lane
Moffett
Parkhouse
Phillips

Ratliff
Reagan
Roberts
Rogers
Secrest
Weinert
Willis

Nays—12

Aikin
Fuller
Gonzalez
Herring
Hudson
Kazen

Krueger
Lock
Moore
Owen
Smith
Wood

Absent

Ashley

Absent—Excused

Martin

Paired

Senator Bracewell (present), who would vote Yea, with Senator Hazlewood (absent), who would vote Nay.

Senator Gonzalez offered the following amendment to the bill:

Amend H. B. No. 265, by striking out Sec. 1, Sub-Sec. i.

The amendment was read.

Senator Owen offered the following substitute for the amendment by Senator Gonzalez:

Amend H. B. 265, Section 1 (a), Item 10, Line 33 changing the figures under the column entitled RATE by deleting One Hundred and Fifty (\$150.00) Dollars and substituting in lieu therefor the figures One Hundred (\$100.00) Dollars.

OWEN
WILLIS

The amendment was read.

Question—Shall the substitute by Senator Owen for the amendment by Senator Gonzalez to H. B. No. 265 be adopted?

Recess

On motion of Senator Hardeman the Senate at 12:33 o'clock p.m. took recess until 2:00 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:00 o'clock p.m.

Senate Concurrent Resolution 11 with House Amendments

Senator Parkhouse called S. C. R. No. 11 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Parkhouse moved that the Senate concur in the House amendments.

The motion prevailed.

Conference Committee on House Bill 169

Senator Bracewell called from the President's table for consideration at this time the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 169 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly the President announced the appointment of the following Conferees on the part of the Senate on the bill:

Senators Bracewell, Fly, Phillips, Bradshaw, and Roberts.

Message from the House

Hall of the House of Representatives

Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 108, Recalling House Bill No. 907 from the Senate.

S. C. R. No. 21, Granting Texas Southeastern Gas Co., a Texas corporation, permission to sue the State. (With amendment.)

S. C. R. No. 29, Granting Jack Pratt, a Texas Distributing Co., permission to sue the State.

S. C. R. No. 33, Authorizing the Board of Regents of the U. of T. to accept on behalf of the Medical Branch of the U. of T. at Galveston private funds for the construction of a small building.

S. C. R. No. 41, Granting permission for Anastacio Vargas to sue the State. (With amendment.)

S. C. R. No. 44, Granting permission to Hoy H. Byley to sue the State.

S. C. R. No. 49, Granting permission to the Lopeno Gas Co. to sue the State. (With amendment.)

S. C. R. No. 55, Granting permission to Delhi-Taylor Oil Corp. to sue the State. (With amendment.)

S. C. R. No. 57, Granting M. G. Seleman and Jim H. Gordon permission to sue the State.

S. C. R. No. 62, Authorizing James Barton Brown to sue the State.

S. C. R. No. 66, Granting permission to Sammie E. Glass and William B. Glass to sue the State.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 55 with House Amendments

Senator Herring called S. C. R. No. 55 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed.

House Concurrent Resolution 108 on Second Reading

The President laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 108, Recalling H. B. No. 907 from the Senate by the House.

The resolution was read and was adopted.

Senate Resolution 533

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate 23 students of the Senior Class, Roscoe High School, Roscoe, Texas, Nolan County, accompanied by their teachers, Mr and Mrs. John R. McKay, Miss Margaret Worthy and Mr. M. C. Jones; and

Whereas, These students are on an

educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the students and teachers to the Members of the Senate.

House Bill 265 on Second Reading

The President laid before the Senate as pending business H. B. No. 265 with an amendment by Senator Gonzalez and a substitute for the amendment pending.

Question—Shall the substitute by Senator Owen for the amendment by Senator Gonzalez on H. B. No. 265 be adopted?

Senator Secrest moved to table the substitute by Senator Owen.

Yeas and nays were demanded.

The substitute by Senator Owen was tabled by the following vote:

Yeas—12

Bradshaw	Phillips
Hardeman	Ratliff
Lane	Reagan
Lock	Roberts
Moffett	Rogers
Parkhouse	Secrest

Nays—10

Aikin	Kazen
Colson	Krueger
Fuller	Owen
Gonzalez	Smith
Herring	Willis

Absent

Ashley	Moore
Fly	Weinert
Hudson	Wood

Absent—Excused

Martin

Paired

Senator Bracewell (present), who would vote Yea, with Senator Hazlewood (absent), who would vote Nay.

Question recurring on the amendment by Senator Gonzalez, the amendment failed of adoption.

Senator Herring offered the following amendment to the bill:

Amend H. B. 265 by adding the following new section:

"Section 4(a). Notwithstanding any of the provisions hereof the University of Texas System is specifically exempt from the provisions of this Act and the tuition rates in effect therein on the date of final passage of this Act shall continue."

On motion of Senator Secrest the amendment was tabled.

Question on the passage of H. B. No. 265 to third reading, yeas and nays were demanded.

H. B. No. 265 was passed to third reading by the following vote:

Yeas—13

Ashley	Parkhouse
Fly	Ratliff
Hardeman	Reagan
Lane	Roberts
Lock	Secrest
Moffett	Weinert
Owen	

Nays—10

Aikin	Kazen
Bradshaw	Krueger
Colson	Phillips
Fuller	Rogers
Herring	Smith

Absent

Moore	Wood
-------	------

Paired

Senator Willis (present) who would vote Nay, with Senator Martin (absent), who would vote Yea.

Paired

Senator Gonzalez (present), who would vote Nay, with Senator Hudson (absent), who would vote Yea.

Paired

Senator Bracewell (present), who would vote Yea, with Senator Hazlewood (absent), who would vote Nay.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 109, Suspending the Joint Rules to consider H. B. No. 655.

S. B. No. 104, A bill to be entitled "An Act providing for the regulation of the practice of ophthalmic dispensing; authorizing the licensing of qualified ophthalmic dispensers; setting out qualifications of applicants for license; providing restrictions upon the practice of ophthalmic dispensing; defining terms; creating a Board of Examiners to determine the qualifications of the applicants; specifying membership, terms of office, powers and duties of such Board of Examiners; prescribing examinations; requiring renewal of licenses; providing for a hearing; providing for appeal; providing for suspension of license for nonpayment of fees; providing for disposition of fees; providing for compensation of Board members; providing certain exemptions from the application of this Act; amending Title 71, Article 4565g, Chapter 10 of the Revised Civil Statutes of Texas; also amending Title 71, Chapter 6, Article 4504 of the Revised Civil Statutes of Texas; providing for a waiver clause; providing a penalty; and declaring an emergency."

S. B. No. 189, A bill to be entitled "An Act constituting the State Board of Control purchasing agent for state agencies and certain other agencies; imposing duties to buy competitively on the State Board of Control; authorizing the State Board of Control to utilize the most efficient purchasing methods; establishing a specifications and standards program; authorizing the Board of Control to maintain usage figures on State consumption of materials, supplies, services, and equipment; saving certain rights and obligations; repealing certain statutes and laws; and declaring an emergency."

(With amendment.)

S. B. No. 331, A bill to be entitled

"An Act implementing the provisions of Article VII, Section 18 of the Texas Constitution, approved by vote of the people on August 23, 1947, and the amendment to said Article VII, Section 18, approved by vote of the people on November 6, 1956, by providing that bonds or notes hereafter issued pursuant to said constitutional provisions shall be registered by the Comptroller of Public Accounts; providing authority for refunding of all bonds or notes issued pursuant to said constitutional provisions of this Act; providing for the approval of such refunding bonds or notes by the Attorney General and registration by the Comptroller of Public Accounts; providing that all bonds and notes, whether original or refunding, issued pursuant to said constitutional provisions or this Act shall be fully negotiable instruments, and making them authorized for investments and for securing public funds and exempting them from taxation; prescribing a severability provision; enacting other provisions relating to the subject; and declaring an emergency."

S. B. No. 438, A bill to be entitled "An Act to amend Articles 3.42 and 3.43 of the Insurance Code (Acts 1951, 52nd Leg., Ch. 491, as amended) relating to the filing with and approval by the Board of Insurance Commissioners of all policy forms, endorsements, and riders issued by any life, accident, health, accident and health or hospitalization insurance company, doing business in this State; providing specific grounds for disapproval; providing for judicial review of any such orders; repealing all laws in conflict herewith; and declaring an emergency."

(With amendments.)

The House has adopted the Conference Committee Report on S. J. R. No. 3 by a vote of 127 ayes, 0 noes.

The House refused to concur in Senate amendments to House Bill No. 18 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

S. B. No. 93, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to acquire by purchase in the name of the State of Texas, for the use and benefit of the Texas Forest Service, and

to improve the same, a sufficient quantity of land suitable for the operation thereon of a forest tree seedling nursery in the reforestation program of the Texas Forest Service and for the production of other forest products; and declaring an emergency." (With amendment.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 41 with House Amendments

Senator Gonzalez called S. C. R. No. 41 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Gonzalez moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Concurrent Resolution 21 with House Amendments

Senator Krueger called S. C. R. No. 21 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Krueger moved that the Senate concur in the House amendments.

The motion prevailed.

Presentation of Guests

On motion of Senator Secrest and by unanimous consent students of the Moody Public School of McLennan County and their teacher, Mrs. Sam Roberts were presented to the Members of the Senate.

Senate Resolution 534

Senator Aikin offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of Cooper High School in Cooper, Texas, accompanied

by their teachers, Mrs. C. C. Oliver and Mr. Bennett Jeter; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Aikin by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Concurrent Resolution 49 with House Amendments

Senator Kazen called S. C. R. No. 49 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Kazen moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 479 on First Reading

Senator Aikin moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—28

Aikin	Krueger
Ashley	Lane
Bracewell	Lock
Bradshaw	Moffett
Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Herring	Reagan
Kazen	Roberts

Rogers
Secrest
Smith

Weinert
Willis
Wood

Absent

Hudson

Absent—Excused

Hazlewood

Martin

The following bill was then introduced, read first time and referred to the committee indicated:

Senators Aikin, Hardeman and Moffett:

S. B. No. 479, A bill to be entitled "An Act amending Sections 1, 3, 10 (g), 10 (h), and 15 of Senate Bill 453, Chapter 475, General and Special Laws of Texas, page 843, Acts 52nd Legislature, Regular Session, 1951, same being known as Sections 1, 3, 10 (g), 10 (h), and 15, of Article 4551 of Vernon's Annotated Civil Statutes of Texas; Article 753 of the Penal Code of Texas as amended by Section 6 of House Bill 534, Chapter 281, General and Special Laws of Texas, Regular Session, Acts 1953, page 721, Article 4551b of the Revised Civil Statutes of Texas as amended by Section 5 of House Bill 534, Chapter 281, General and Special Laws of Texas, Regular Session, Acts 1953, page 721, Section 9 of Senate Bill 10, Acts 1935, 44th Legislature, Regular Session, Chapter 244, page 606, known as Vernon's Anno. Texas Civil Statutes, Art. 4551, as amended; pertaining to dentistry, dental hygiene, and the Texas State Board of Dental Examiners; repealing all laws or parts of laws in conflict; providing a savings clause; and declaring an emergency."

To the Committee on Public Health.

Senate Bill 438 with House Amendments

Senator Hardeman called S. B. No. 438 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hardeman moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the

differences between the two Houses on the bill.

The motion prevailed.

Conference Committee on House Bill 18

Senator Hardeman called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 18 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following Conferees on the part of the Senate on the bill:

Senators Lane, Owen, Martin, Hardeman and Fly.

Senate Resolution 535

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of Post High School, Post, Texas, accompanied by their teacher, Mr. Burt McCoy, and their principal, Mr. Glenn Whitenberg; and Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the students, Mr. McCoy and Mr. Whitenberg to the Members of the Senate.

Senate Bill 300 With House Amendments

Senator Smith called S. B. No. 300 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Smith moved that the Senate concur in the House amendments.

The motion prevailed.

Report of Standing Committee

Senator Colson by unanimous consent submitted the following report:

Austin, Texas,
May 9, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on Public Health, to whom was referred S. B. No. 479, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and

be printed.

COLSON, Chairman.

House Bills on First Reading

The following bills received from the House were read first time and referred to the Committees indicated:

H. B. No. 940, To the Committee on Counties, Cities and Towns.

H. B. No. 939, To the Committee on Water and Conservation.

Adjournment

On motion of Senator Hardeman the Senate at 2:58 o'clock p.m. adjourned until 10:00 o'clock a.m. on Monday, May 13, 1957.

Record of Vote

Senator Phillips asked to be recorded as voting "Nay" on the motion to adjourn.

In Memory of
Reverend C. A. Ray

Senator Moore offered the following resolution:

(Senate Resolution 521)

Whereas, on the 19th day of March, 1957, the Divine Creator of Man called to his Heavenly Reward Reverend C. A. Ray; and

Whereas, Reverend Ray's untimely passing ended a fruitful life of service to his community and to all those with whom he had been associated throughout the State; and

Whereas, He was born in Alabama in 1879 and moved to Texas as a very young man where he spent the remainder of his life which he dedicated to serving his Divine Master in the pulpit. He pastored Baptist churches at Somerville, Waller, Richards, Willis and Splendora, and also served as District Missionary while living in Huntsville; and

Whereas, He received his education at Rusk Baptist College in Rusk, Texas, and after finishing college, he began teaching in Oklahoma when it was only a Territory and continued his teaching career in Texas until he was called to the ministry; and

Whereas, On December 3rd, 1903, he married Miss Zadie Wise, and to this union were born six children, five of whom are still living; Mrs. Eunice Welch of Somerville, Mrs. Margaret Lovell of Somerville, Reverend Carroll B. Ray of Perryton, Claude Ray of Del Rio and Mrs. Bobbie Cruse of Port Arthur. Eight grandchildren and four great grandchildren survive Reverend Ray; and

Whereas, As a minister, he has ardently devoted his adult life to Christian service and has attained success in his chosen field through his love for his work and his sincere interest in the welfare of others. He has always given freely of his time and his efforts to his fellow men have been tireless; and

Whereas, He filled all the years allotted to him with a devoted service to his family, his friends, his churches and his entire community, being at all times ready to counsel with and advise those who needed his help; and

Whereas, This outstanding citizen lived an exemplary Christian life, serving loyally and actively in his chosen field, in which capacity he was an outstanding influence in the moral and spiritual growth of his churches and community; and

Whereas, It is the desire of the Senate of Texas to recognize and pay fitting tribute to the life of this useful and beloved man, the Reverend C. A. Ray, and to express sympathy to his family; now, therefore, be it

Resolved by the Senate of Texas, That the loss of this valuable citizen is a great loss to the City of Somerville, where he has resided the last years of his life, and to the entire State; and that a copy of this Resolution be sent to the members of his family as a tribute to his life; and be it further

Resolved, That when the Senate adjourns today, it do so in respect to the memory of Reverend C. A. Ray.

MOORE
FULLER

The resolution was read and was adopted by a rising vote of the Senate

In Memory of
David Eckley Box

Senator Willis offered the following resolution:

(Senate Resolution 524)

Whereas, The Honorable David Eckley Box was called to his Heavenly Home by the Supreme Master on 24 April 1957; and

Whereas, In the passing of Mr. Box, the people of Grapevine and the State of Texas lost one of their most worthy and outstanding citizens; and

Whereas, Mr. Box was a native son, born in Cumby, Texas, 17 September 1891. He moved to Carrollton where he was superintendent of the Christian Church Sunday School and a member of that Church for the last 46 years of his life. He moved to Grapevine in 1919 and lived here with his fine family the remaining years of his useful life; and

Whereas, He was dedicated to the welfare and progress of his Church, City and State, as a member of the City Council, School Board, Chamber of Commerce, and President of the Northwest Highway Association, and Past Master of Grapevine Masonic Lodge No. 288; and

Whereas, He was President of the First National Bank of Grapevine for 33 years until retirement last February and since then Chairman of the Board of Directors and Past Treasurer of the Texas Bankers Association and Chairman of the Association's Seventh District; now, therefore, be it

Resolved, That the Senate of the Fifty-fifth Legislature extend to his family its most sincere sympathy and that official copies of this resolution be sent to each member of his family; and, be it further

Resolved, That when the Senate adjourns today, it do so in honor and in memory of the Honorable David Eckley Box.

The resolution was read and was adopted by a rising vote of the Senate.